

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ROBERT JAMES STEWART, ROBERT  
JAMES STEWART FAMILY, WESLEY  
A. MARTINSON, and PHILIP  
ANDREW MCNUTT,

Plaintiffs,

vs.

NO. 11-CV-341-EFS

CHELAN COUNTY, CITY OF  
CASHMERE, GARY RIESEN, JOHN  
BRIDGES, JONATHAN M. LIMBECK,  
JODIE WHITE, LISA BAYLESS,  
DAWN DAVIES, WENATCHEE VALLEY  
HUMANE SOCIETY, ALICIA  
NAKATA, CHELAN COUNTY  
SUPERIOR COURT, CHELAN COUNTY  
DISTRICT COURT, JONES,  
OFFICER LONG, UNKNOWN  
DEPUTIES, BRIAN BURNETT, JOE  
EVANS, OLSEN AUTO REPAIR AND  
TIRE, LESLEY ALLAN, NANCY  
HARMON, JOHN AND JANE DOES,  
and CITY OF WENATCHEE,

Defendants.

**ORDER DISMISSING CASE AND  
DENYING PENDING MOTIONS AS  
MOOT**

Plaintiffs in this matter filed a *pro se* complaint on September 16, 2011. The Court has screened this complaint for legal and factual and sufficiency and has determined that Plaintiffs' complaint fails to state a plausible claim for relief.

1 Under Federal Rule of Civil Procedure 8(a), a complaint must include  
2 a short and plain statement of the grounds for the Court's jurisdiction,  
3 a short and plain statement of the claim showing that the pleader is  
4 entitled to relief, and a demand for the relief sought. Fed. R. Civ. P.  
5 8(a). Each allegation must be simple, concise, and direct. Fed. R. Civ.  
6 P. 8(e). Furthermore, the complaint's short and plain statement of the  
7 claim must demonstrate a "plausible" entitlement to relief. See *Bell*  
8 *Atl. Corp. v. Twombly*, 550 U.S. 544, 557 (2007). Plaintiffs' Complaint  
9 in this matter fails to meet this standard, and the Court finds that  
10 amendment would be futile. Accordingly, this matter is dismissed and all  
11 pending motions are denied as moot.

12 For the reasons discussed above, **IT IS HEREBY ORDERED:**

13 1. The Complaint in this matter, **ECF No. 1**, is **DISMISSED**.

14 2. All pending motions, **ECF Nos. 2, 3, 4, 8 & 15**, are **DENIED as**  
15 **moot.**

16 3. **Judgment** shall be entered without prejudice in Defendants'  
17 favor.

18 4. This file shall be **closed**.

19 **IT IS SO ORDERED.** The District Court Executive is directed to  
20 enter this Order and provide copies to Plaintiffs and counsel of  
21 record.

22 **DATED** this 1st day of November 2011.

23  
24 s/Edward F. Shea

EDWARD F. SHEA

United States District Judge

26 Q:\Civil\2011\341.dismiss.wpd